

THE UNITED STATES DISTRICT COURT  
THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRYCE L. SPANGLER,

Plaintiff,

vs.

CHARLIE WEND, et al.,

Defendants.

NO. 12-cv-1196-RAJ-JPD

DECLARATION OF RONALD C.  
KITCHENER

Ronald Kitchener declares:

I am over the age of 18 years and competent to testify regarding the matters asserted herein. I have been employed as an Operating Engineer by the Skagit County Facilities Department for fifteen years. I am responsible for maintenance – head to toe – of the Skagit County facilities including the county jail. I am familiar with the electrical and lighting, plumbing, and heating and ventilation systems used in the jail from my work there for the last fifteen years. I am also familiar with the operation of equipment used to measure the amount of light provided by light fixtures.

I make the following declaration based upon my own personal knowledge:

1           The gray cells in the jail have one light fixture each. The fixture is capable of holding  
2 four florescent lights; however, only three florescent lights have been installed in these fixtures  
3 for several years. Between 1997 and 2012, light in each gray cell was provided by (1) two 48-  
4 inch T12, 34 watt cool white florescent tubes and (2) one 18-inch T8 15 watt black light  
5 florescent tube. The black light tube is coated with a white material rather than the common  
6 black material found in normal black lights. This allows for slightly more visible light output.  
7 The two white tubes and the one black light tube were each connected to a separate switched  
8 circuit. The switches for the lights are mounted outside the gray cells where they can be  
9 controlled by jail staff.

10           In July 2012, the lighting in the Gray cells was upgraded to use electronic ballasts and  
11 48-inch T-8 bulbs 32 watt tubes. The only change made to the black light circuit was the  
12 retrofit to an electronic ballast. This did not noticeably change the amount of light that the  
13 black light produced.

14           On February 19, 2013, I used a light meter that measures the output of light in foot-  
15 candles to measure the amount of light in Gray 9. At a distance of one foot above the bunk in  
16 the cell, the light from the single 15-watt black light measured 0.1 to 0.2 foot-candles. These  
17 measurements were taken with window in the cell door closed, but with the cell door slightly  
18 ajar.

19           Because the amount of light is based on the light source and the distance from the  
20 source and the tubes and electronics used in Gray 9, 11, and 13 are the same, the measurement  
21 would be the same for each of the gray cells.

22           The dark coated black lights did not provide sufficient light for the corrections deputies  
23 to look into a cell to check on an inmate. The white coated black light provides enough light  
24 for that purpose.  
25  
26

1 The Illuminating Engineers Society (IES) recommends lighting that provides between  
2 50 and 100 foot-candles for work surfaces in office spaces.

3 Toilets in the cells are designed to standards set for jail use. They are maintained as part  
4 of a routine preventative maintenance program. In my experience over the last fifteen years,  
5 the jail toilets rarely fail on their own. Like any toilet, if one becomes plugged through normal  
6 usage, the toilet water remains in the toilet unless it is flushed repeatedly. Also, like any toilet,  
7 this safeguard can be defeated by purposefully plugging the toilet and repeatedly flushing it. I  
8 do not know of any incident over the last fifteen years where the jail toilets have needed  
9 maintenance to clear a plugged drain except for when the toilet has been purposefully plugged  
10 with excess toilet paper or some foreign object.

11 Heating throughout the jail, except in the outdoor exercise area, is maintained at a  
12 uniform room temperature. No pod or cell, including the gray cells, is subject to temperature  
13 extremes.

14 I declare under penalty of perjury under the laws of the State of Washington that the  
15 foregoing is true and correct to the best of my knowledge.

16 Dated this 25 day of MARCH, 2013, at Mount Vernon,  
17 Washington.

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20 \_\_\_\_\_  
21 RONALD C. KITCHENER